

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6078**

**BILL NUMBER:** HB 1233

**NOTE PREPARED:** Nov 11, 2011

**BILL AMENDED:**

**SUBJECT:** Evaluation of Appointments of Major Agency Heads.

**FIRST AUTHOR:** Rep. DeLaney

**BILL STATUS:** As Introduced

**FIRST SPONSOR:**

**FUNDS AFFECTED:** X GENERAL  
DEDICATED  
FEDERAL

**IMPACT:** State

**Summary of Legislation:** *Joint Committee on Appointment of Major Agency Heads:* This bill establishes the Joint Committee on Appointment of Major Agency Heads consisting of eight members of the General Assembly. It requires the committee to meet whenever its chair is notified by the Governor of the Governor's intent to make a major agency appointment, in order to receive information and discuss the fitness and competence of the individual the Governor intends to appoint. It also requires the committee to report to the Governor and the Legislative Council its findings regarding the appointee's fitness and competence.

*Major Agency Appointment:* The bill defines "major agency appointment" as the governor's appointment of:

- (1) a member of the Indiana Utility Regulatory Commission;
- (2) the Commissioner of the Indiana Department of Transportation;
- (3) the Secretary of Family and Social Services;
- (4) the Commissioner of the Indiana Department of Environmental Management; or
- (5) the Commissioner of Labor.

*Term of Office:* It provides that an individual appointed by the Governor to a major agency appointment does not take office until 45 days after the Governor notifies the chair of the committee of the appointment.

*Repeal:* The bill repeals the statute that establishes the Utility Regulatory Commission Nominating Committee.

**Effective Date:** Upon passage.

**Explanation of State Expenditures:** *Joint Committee on Appointment of Major Agency Heads:* This bill

establishes the eight-member Joint Committee on Appointment of Major Agency Heads. The committee is to operate under the rules adopted by the House and Senate, and each committee member is entitled to receive the same per diem, mileage, and travel allowances paid to legislators who serve on interim study committees.

*Term of Office:* The head of a major agency would not take office until 45 days after the Governor notifies the head of the committee of the appointment. This is expected to have minimal fiscal impact, but may require an interim commissioner or secretary to remain in place for a longer period of time.

*Repeal:* The bill repeals the statute that establishes the seven-member Utility Regulatory Commission Nominating Committee. The committee meets when necessary, or at the call of the chair or four members of the committee. Committee members while performing committee duties receive a \$35 salary per diem, plus traveling and other expenses.

*Background:* The Joint Committee on Appointment of Major Agency Heads is to meet 10 business days after receiving the Governor's notice of intent to make a major appointment or at the call of the chair. The committee may meet even when the General Assembly is not in session. The Legislative Services Agency will provide staff to the committee, and the committee will electronically report to the Governor and the Legislative Council concerning information it has received and its discussion of the fitness and competence of the individual the Governor intends to appoint. The committee may make recommendations concerning appointments.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** IURC; INDOT; FSSA; IDEM; Department of Labor; Governor; Legislative Council.

**Local Agencies Affected:**

**Information Sources:** <https://secure.in.gov/apps/govboards/BoardDetails.aspx?BoardId=11175>

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